

PROB 12A
(12/88)FILED
JAMES BONINI
CLERK**United States District Court**

for

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Southern District of OhioU.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST DIVISION CINCINNATI**Report on Offender Under Supervision**Name of Offender: **Tracy M Peskin**Case Number: **1:02CR00107**Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith**
Chief United States District JudgeDate of Original Sentence: **December 19, 2002**Original Offense: **Embezzlement by a Bank Employee**Original Sentence: **24 month(s) probation**Type of Supervision: **Probation**Date Supervision Commenced: **December 19, 2002****NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	
Special Condition One: "The defendant is ordered to pay any unpaid balance on the restitution to be imposed."	The offender has failed to make a payment toward restitution since September 12, 2003.

U.S. Probation Officer Action:

The offender was sentenced to a two-year term of probation by the Court on December 19, 2002 after having been convicted of Embezzlement by a Bank Employee, in violation of 18 U.S.C. § 656. As a special condition of supervision, she was ordered to pay restitution in the amount of \$5,050. Between December 19, 2002 and September 12, 2003, the defendant made seven payments totaling \$2,495. She has not made a payment since September 12, 2003.

This officer recently met with the offender and discussed her lack of compliance with restitution. She reported she was laid off from her job and she has been staying at home taking care of her three young children. Her husband makes a modest income and they currently have a \$500 a month garnishment on his wages due to a loan which was obtained prior to her sentencing. The offender and her family reside in a modest home, they drive a late model vehicle which was given to them by a relative, and they do not appear to spend their money frivolously. The offender has agreed to begin making regular monthly payments toward restitution. This officer provided her with a financial statement to fill out to help determine what she is able to afford per month.

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On June 30, 2004, the Court extended the offender's term of supervision by one year at the request of the probation office and the offender as a result of her failure to make payments toward restitution. The offender's supervision is scheduled to expire on December 18, 2005. The offender appears willing to start making regular payments, but it does not appear she has the financial resources to pay restitution in full by the end of her supervision. The United States Attorney's Office will be notified of her restitution balance and collection may be pursued by its Financial Litigation Unit after the offender's supervision ends. It is respectfully recommended that the Court allow the offender's probation to expire on December 18, 2005 as scheduled without taking adverse action against her due to her restitution balance. This officer will continue to work with the offender to help her maximize her restitution payments until the expiration of her sentence.

Respectfully submitted,

by



Thomas Barbeau
U. S. Probation Officer
Date: **July 15, 2005**

Approved,

by



John C. Cole
Supervising U. S. Probation Officer
Date: **7/18/05**

- ☒ I concur with the recommendation of the Probation Officer
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons


Signature of Judicial Officer

Date